

REMARKS

Upon entry of the present amendments, claims 6-10, 14-17, and 27-28 will be pending in the present application, claims 21-24 and 29 having been canceled. Applicants have amended claim 6 to specify that the fusion protein is "lacking at least amino acids 495-517, 525-547, and 555-575 of the Zinc finger region of human Sp3." Support for these amendments can be found throughout the application as filed, e.g., at page 7, lines 12-16. No new matter has been added.

Foreign Priority

At page 2 of the Office Action mailed April 9, 2007 (the "Office Action"), the Examiner noted that "priority has not been stated in the first line of the specification or in an application data sheet." Applicants have amended the specification to insert a paragraph into the specification with the appropriate information.

Rejections under 35 U.S.C. 112, Second Paragraph

Claim 29 was rejected as being allegedly indefinite. Applicants have cancelled claim 29, and submit that the rejection thereto under 35 U.S.C. 112, second paragraph is now moot.

Rejections under 112, First Paragraph

Claims 6-10, 14-17, and 27-29 were rejected as allegedly lacking enablement. Specifically, the Office Action at page 6 states that

A method of identifying an agent that activates TSA-responsive Sp3-mediated transcription comprising a vector encoding a fusion protein that comprises an Sp3 fragment containing any Zinc finger region, more than one region, or part of a region would not predictably function as claimed.

Applicants have amended claim 6 to specify that the fusion protein is "lacking at least amino acids 495-517, 525-547, and 555-575 of the Zinc finger region of human Sp3."

The Examiner noted at page 3 of the Office Action that the specification was ... enabling for a method of identifying an agent that activates TSA-responsive Sp3-mediated transcription, comprising: providing a cell having (a) a first vector comprising a first regulatory sequence operably linked to a nucleic acid sequence encoding a fusion protein, wherein the fusion protein comprises (i) a fragment of

human Sp3 having transcriptional activity comprising at least one glutamine-rich region of TSA-responsive domain of Sp3 and lacking at least amino acid residues 495-517, 525-547, 555-575 of the Zinc finger region....

Applicants note that independent claim 6 as amended now tracks this language almost identically, and submit that the pending claims are amply enabled. Applicants therefore request withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

For at least the reasons set forth above, Applicants submit that the pending claims are allowable and request prompt notification thereof.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 14875-085001.

Respectfully submitted,

Date:

July 9, 2002

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